

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA, : : 21 Cr. 64 (PAC)
: :
- against - : :
: :
SADICK EDUSEI-KISSI, : :
: :
Defendant. : :
-----X

HONORABLE PAUL A. CROTTY, United States District Judge:

On June 2, 2022, following a one-week trial, a jury convicted Defendant Sadick Edusei-Kissi on three out of four counts arising from his involvement in predatory romance scams. On December 13, 2022, the Court sentenced the Defendant to thirty-six months' imprisonment, to be followed by a term of three years' supervised release. On December 27, 2022, the Defendant filed a notice of appeal of his sentence and conviction, which is now pending oral argument. Presently before the Court is Defendant's motion for an order of release on bail pending appeal, pursuant to Rule 42(c) of the Federal Rules of Criminal Procedure and 18 U.S.C. § 3143(b).

Upon review of the parties' arguments and the underlying record in this case, the Court finds that the Defendant has failed to raise "a substantial question of law or fact" on appeal, 18 U.S.C. § 3143(b), sufficient to meet "the defendant's burden to rebut the presumption in favor of detention by clear and convincing evidence." *United States v. Silver*, 203 F. Supp. 3d 370, 376 (S.D.N.Y. 2016). Specifically, the Court finds that the Government presented sufficient evidence at trial from which a reasonable juror could conclude that: (1) Kissi's financial transactions were designed to conceal the illicit nature of unlawful proceeds within the meaning of 18 U.S.C. § 1956(a)(1)(B)(i); (2) that Kissi knew the funds deposited into his accounts were the proceeds of unlawful activity; and (3) that Kissi knew that the funds he received were stolen. The Court further finds that in imposing sentence on the Defendant, it properly calculated the loss amount pursuant

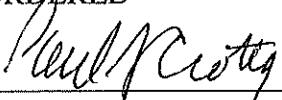
to U.S.S.G. § 2B1.1(b)(1), resulting in an appropriate recommended Guidelines range of 51-63 months' imprisonment.

CONCLUSION

Defendant has failed to raise a substantial question of law or fact on appeal. Accordingly, Defendant's motion for an order of release on bail pending appeal, pursuant to Rule 42(c) of the Federal Rules of Criminal Procedure and 18 U.S.C. § 3143(b) is **DENIED**.

Dated: New York, New York
January 29, 2024

SO ORDERED


HONORABLE PAUL A. CROTTY
United States District Judge